

## **REMARKS**

The previously cited Gere, U.S. Publication 2004/0019778, was used to reject claims. Gere transfers a bootable, complete operating system from a first computer to a second computer. The entire operating system is captured on a portable drive and transferred complete from the first computer to the second computer, which then reconfigures the second computer with a booting of the transferred operating system. Gere always requires a system reboot of the computer and always transfers the complete operating system.

The claims clearly distinguish Gere. Claim 1 recites the limitations of "reconfiguring the second computer by merging configuration and program information of said first computer into a local system environment of said second computer; and thereafter operating said second computer in accordance with said settings and under an operating system which was already installed and running on the second computer without performing a system reboot." Similarly, Claim 17 recites "executing the merged registry information on the second computer, wherein said registry information comprises settings and options for the already running operating system which take effect without a system reboot." The registry information is defined as settings and option for the operating system. The registry information is not an operating system. Both claims are clear that the operating system was already installed and running.

Applicant's claimed inventions disclose new methods of transferring a portable operating environment without transferring the operating system. In the present application, a disclosed embodiment transfers (e.g.) configuration, program/program data, registry settings, environmental settings, and dynamic

link library information from a first computer operating environment to a second computer operating environment via a portable data medium and requires a Portable Operating Environment software utility program. The configuration of a second environment occurs upon transfer of the information and does not require a reboot and does not transfer an entire operating system, which can never be done without a system reboot, while Gere always transfers a complete operating system.

The Examiner's position in the interviews on March 5<sup>th</sup>, April 3<sup>rd</sup>, and up to interview on May 7 was that the "operating system" of Gere was the same as the "operating environment" transferred in the claims. However, Gere specifically defines "operating system environment" as the operating system. *Gere, para 0004. See also paras 0009, 0010.* The two terms are used interchangeably throughout the specification. *See Gere, paras 0038-0041.* To the extent they are not the same, Fig 3 of Gere clearly depicts a portable operating system that is transferred; not an environment. Paragraph 0038 very clearly states that the "portable operating system environment 313 comprises a bootable operating system." To attempt to interpret Gere as transferring anything less than the entire operating system is impermissible, because the Examiner is obligated to interpret the prior art only for what it teaches and not "read into" the reference using the applicant's invention as a guide. Gere transfers a complete operating system as clearly stated in Paragraph 0038 and as claimed, and any interpretation that the operating system is not transferred in Gere requires impermissible use of the claims to read and interpret Gere.

Claim 1 requires an operating system already installed and running on the second computer. Claim 17 also specifically require a running operating

system on the second computer with the registry information taking effect without a system reboot. Because Applicant's method requires no rebooting of the second system environment prior to resuming operating, it is not suggested, taught, or disclosed by Gere which always requires a system reboot.

It is believed the amendments place the claims in condition for allowance. Therefore, Applicant respectfully requests that the application be allowed.